

By: Huffman

S.B. No. 306

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to consideration of a student receiving treatment in a  
3 residential treatment facility for public school accountability  
4 purposes.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 39.055, Education Code, is amended to  
7 read as follows:

8 Sec. 39.055. STUDENT ORDERED BY A JUVENILE COURT OR STUDENT  
9 IN RESIDENTIAL TREATMENT FACILITY NOT CONSIDERED FOR  
10 ACCOUNTABILITY PURPOSES. Notwithstanding any other provision of  
11 this code except to the extent otherwise provided under Section  
12 39.054(f), for purposes of determining the performance of a school  
13 district or campus under this chapter, a student ordered by a  
14 juvenile court into a residential program or facility operated by  
15 or under contract with the Texas Juvenile Justice Department [~~Youth~~  
16 ~~Commission, the Texas Juvenile Probation Commission~~], a juvenile  
17 board, or any other governmental entity or any student who is  
18 receiving treatment in a residential treatment facility is not  
19 considered to be a student of the school district in which the  
20 program or facility is physically located. The performance of such  
21 a student on an assessment instrument or other student achievement  
22 indicator adopted under Section 39.053 or reporting indicator  
23 adopted under Section 39.301 shall be determined, reported, and  
24 considered separately from the performance of students attending a

1 school of the district in which the program or facility is  
2 physically located.

3 SECTION 2. This Act applies beginning with the 2013-2014  
4 school year.

5 SECTION 3. This Act takes effect immediately if it receives  
6 a vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, this  
9 Act takes effect September 1, 2013.